

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff

vs.

SEMGROUP ENERGY PARTNERS, L.P.,
SEMGROUP ENERGY PARTNERS G.P. LLC,
SEMGROUP HOLDINGS L.P., KEVIN L. FOXX,
MICHAEL J. BROCHETTI, ALEX G. STALLINGS,
THOMAS L. KIVISTO, GREGORY C.
WALLACE, W. ANDERSON BISHOP, BRIAN F.
BILLINGS, CITIGROUP GLOBAL MARKETS
INC., MERRILL LYNCH, PIERCE, FENNER &
SMITH INCORPORATED and LEHMAN
BROTHERS, INC.,

Defendants.

No. 08-cv-7063 (PAC)

ECF CASE

RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for SemGroup Energy Partners G.P., LLC ("SemGroup GP") certifies that the corporate parent of SemGroup GP is SemGroup, L.P., and that, on information and belief, no publicly held corporation owns 10% or more of SemGroup GP's stock.

TANNENBAUM HELPERN SYRACUSE
& HIRSCHTRITT L.L.P.

By: /s/ Ralph A. Siciliano
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